



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*50 Main Street, Suite 1100  
White Plains, New York 10606*

November 22, 2024

**BY ECF & EMAIL**

The Honorable Philip M. Halpern  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, New York 10601

**Re: *United States v. Gabriel*, 24 Cr. 007 (PMH)**

Dear Judge Halpern,

The Government respectfully submits this supplemental letter to the Government's sentencing submission dated November 15, 2024, and in advance of the defendant James Gabriel's sentencing hearing, currently scheduled for November 25, 2024. (Dkt. No. 15, Gov't Sub.) In that sentencing submission, the Government reserved the right to conduct further investigation and respond to Gabriel's claim that he had been deprived of water for days while at the Metropolitan Detention Center in Brooklyn ("MDC"). Gov. Sub. 6; *see also* Def. Sub. at 7.

Based on communications with the MDC's legal department, the Government understands that there were two times when water was shut off at the MDC in late October. The first happened on October 26, 2024, and lasted 4 hours. That shutdown came about because of a leak at the MDC. The second happened on October 29, 2024, and came about due to a water maintenance project being carried out by the New York City Department of Environmental Protection. That shutdown lasted approximately 10-12 hours, and during that time, inmates were provided bottled water for each meal, and water was made available for purposes of flushing the toilets in inmates' cells.

Respectfully submitted,

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